

February 2, 2006



U.S. Department
of Transportation

400 Seventh Street, S.W.
Washington, D.C. 20590

**Pipeline and
Hazardous Materials
Safety Administration**

DOT-SP 14234

EXPIRATION DATE: December 31, 2007

(FOR RENEWAL, SEE 49 CFR § 107.109)

1. GRANTEE: Federal Industries Corporation
Plymouth, MN
2. PURPOSE AND LIMITATIONS:
 - a. This special permit authorizes the manufacture, marking, sale and use of a UN standard 4G fiberboard box for use as the outer packaging for lab pack applications in accordance with § 173.12(b), for the transportation in commerce of the materials authorized by this special permit. This special permit provides no relief from the Hazardous Materials Regulations (HMR) other than as specifically stated herein.
 - b. The safety analyses performed in development of this special permit only considered the hazards and risks associated with transportation in commerce.
 - c. Party status will not be granted.
3. REGULATORY SYSTEM AFFECTED: 49 CFR Parts 106, 107 and 171-180.
4. REGULATIONS FROM WHICH EXEMPTED: 49 CFR § 173.12(b)(2)(i) in that a UN4G packaging is not authorized, except as specified herein.
5. BASIS: This special permit is based on the application of Federal Industries Corporation dated August 15, 2005, submitted in accordance with § 107.105 and the public proceeding thereon.

6. HAZARDOUS MATERIALS (49 CFR § 172.101):

Hazardous Material Description			
Proper Shipping Name	Hazard Class/ Division	Identification Number	Packing Group
Waste hazardous materials classed as Class or Division 3, 4.1, 4.2, 4.3, 5.1, 6.1, 8, or 9, which are authorized to be shipped in lab packs in accordance with § 173.12(b). *	3, 4.1, 4.2, 4.3, 5.1, 6.1, 8, or 9.	As appropriate	I, II, or III as appropriate

*See Paragraph 7(c) of this special permit for restrictions on authorized materials.

7. SAFETY CONTROL MEASURES:

a. PACKAGING - Each inner packaging is as prescribed in § 173.12(b) for the material being offered for transportation. Outer packaging is a UN 4G fiberboard box fitted with a 2 mil polyethylene film bag liner meeting as follows:

(1) The box of up to 55-gallon capacity is constructed of 500 lb burst strength, double-wall, corrugated fiberboard and fabricated according to the description in the Advanced Packaging Laboratories' test report HM 4838.2 dated August 3, 2005 on file with the Office of Hazardous Materials Special Permits and Approvals (OHMSPA). The gross weight of the completed package may not exceed 147.4 kg (325 pounds).

(2) The box of up to 30-gallon capacity is constructed of 500 lb burst strength, double-wall, corrugated fiberboard and fabricated according to the description in the Advanced Packaging Laboratories' test report HM 4838.1 dated August 3, 2005 on file with OHMSPA. The gross weight of the completed package may not exceed 113.3 kg (250 pounds).

(3) The box of up to 20-gallon capacity is constructed of 500 lb burst strength, double-wall, corrugated fiberboard and fabricated according to the description in the Advanced Packaging Laboratories' test report HM

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4866.2 dated August 8, 2005 on file with OHMSPA. The gross weight of the completed package may not exceed 75.0 kg (165 pounds).

(4) The box of up to 10-gallon capacity is constructed of 500 lb burst strength, double-wall, corrugated fiberboard and fabricated according to the description in the Advanced Packaging Laboratories' test report HM 4866.1 dated August 8, 2005 on file with OHMSPA. The gross weight of the completed package may not exceed 113.3 kg (325 pounds).

(5) Inner packagings may be glass packagings not exceeding 4L (1 gallon), or metal or plastic packagings not exceeding 20L (5.3 gallons).

(6) Inner packagings containing liquid must be surrounded, within the polyethylene film bag liner, by a chemically compatible absorbent material in sufficient quantity to absorb the total liquid contents.

b. TESTING - The box, filled to 95% of capacity with a solid material, or packed in accordance with the schematic drawing submitted with the April 15, 1992 application, must be satisfactorily tested in accordance with §§ 178.603 and 178.606 at the Packing Group II level. In addition, the packaging must be capable of withstanding the vibration standard described in § 178.608.

c. OPERATIONAL CONTROLS - Materials meeting the definition of Division 6.1, Packing Group I, or Division 4.2, Packing Group I; and bromine pentafluoride; bromine trifluoride; chloric acid; and oleum (fuming sulfuric acid) may not be shipped under the terms of this special permit.

8. SPECIAL PROVISIONS:

a. In accordance with the provisions of Paragraph (b) of § 173.22a, persons may use the packaging authorized by this special permit for the transportation of the hazardous materials specified in paragraph 6, only in conformance with the terms of this special permit.

b. A person who is not a holder of this special permit, but

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receives a package covered by this special permit, may reoffer it for transportation provided no modification or change is made to the package or its contents and it is offered for transportation in conformance with this special permit and the HMR.

c. A current copy of this special permit must be maintained at each facility where the package is offered or reoffered for transportation.

d. Each packaging manufactured under the authority of this special permit must be either (1) marked with the name of the manufacturer and location (city and state) of the facility at which it is manufactured or (2) marked with a registration symbol designated by the Office of Hazardous Materials Special Permits and Approvals for a specific manufacturing facility.

e. A current copy of this special permit must be maintained at each facility where the package is manufactured under this special permit. It must be made available to a DOT representative upon request.

f. In addition to the markings required by § 178.503, each box must be plainly and durably marked "DOT-SP 14234" on a contrasting background.

9. MODES OF TRANSPORTATION AUTHORIZED: Motor vehicle.
10. MODAL REQUIREMENTS: A current copy of this special permit must be carried aboard each motor vehicle used to transport packages covered by this special permit.
11. COMPLIANCE: Failure by a person to comply with any of the following may result in suspension or revocation of this special permit and penalties prescribed by the Federal hazardous materials transportation law, 49 U.S.C. 5101 et seq:
 - o All terms and conditions prescribed in this special permit and the Hazardous Materials Regulations, 49 CFR Parts 171-180.
 - o Persons operating under the terms of this special permit must comply with the security plan requirement in Subpart I of Part 172 of the HMR, when applicable.
 - o Registration required by § 107.601 et seq., when applicable.

Each "Hazmat employee", as defined in § 171.8, who performs a function subject to this special permit must receive training on the requirements and conditions of this special permit in addition to the training required by §§ 172.700 through 172.704.

No person may use or apply this special permit, including display of its number, when this special permit has expired or is otherwise no longer in effect.

Under Title VII of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU)—"The Hazardous Materials Safety and Security Reauthorization Act of 2005" (Pub. L. 109-59), 119 Stat. 1144 (August 10, 2005), amended the Federal hazardous materials transportation law by changing the term "exemption" to "special permit" and authorizes a special permit to be granted up to two years for new special permits and up to four years for renewals.

12. REPORTING REQUIREMENTS: Shipments or operations conducted under this special permit are subject to the Hazardous Materials Incident Reporting requirements specified in 49 CFR §§ 171.15 - Immediate notice of certain hazardous materials incidents, and 171.16 - Detailed hazardous materials incident reports. In addition, the grantee(s) of this special permit must notify the Associate Administrator for Hazardous Materials Safety -- OHMEA, in writing, of any incident involving a package, shipment or operation conducted under terms of this special permit.

Issued in Washington, D.C.:



Robert A. McGuire
Associate Administrator for
Hazardous Materials Safety

Address all inquiries to: Associate Administrator for Hazardous Materials Safety, Pipeline and Hazardous Material Safety Administration, Department of Transportation, Washington, D.C. 20590. Attention: PHH-31.

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Copies of this special permit may be obtained by accessing the Hazardous Materials Safety Homepage at http://hazmat.dot.gov/sp_app/special_permits/spec_perm_index.htm

Photo reproductions and legible reductions of this special permit are permitted. Any alteration of this special permit is prohibited.

PO: BURGER